

CALIFORNIA POLYTECHNIC STATE UNIVERSITY
San Luis Obispo, CA 93407
ACADEMIC SENATE

Minutes of the
ACADEMIC SENATE
Tuesday, October 29, 1991
UU 220, 3:00-5:00pm

Preparatory: The meeting was called to order at 3:17pm.

- I. Minutes: The minutes of the October 8, 1991 Academic Senate meeting were approved without correction.
- II. Communication(s) and Announcement(s): The Chair reviewed those items appearing under this section of the agenda: A. Reading List B. Status of Academic Senate CSU resolutions C. "The Teaching and Learning Exchange" D. Applications for Academic Program Improvement Seed Grants.
- III. Reports:
 - A. Academic Senate Chair: (a report on Foundation activities is given below)
 - B. President's Office: none
 - C. Vice President for Academic Affairs' Office: none
 - D. Statewide Senators: none
 - E. CFA Campus President: Jim Conway, campus president for CFA, has been appointed to a bargaining team that is in the process of bargaining three issues: (1) the increased health care premiums, (2) a flex-cash program for faculty with spouses who are already covered by a separate health care program (it's presently \$100/month), and (3) OBRA, a program to insure that all employees are covered by a pension plan, social security, or some other retirement account. The Chancellor is proposing that these people be put into the UC pension plan and this is presently up for negotiation. J Conway has also been appointed to another bargaining team which is dealing with optional retirement programs for people who come into the system for a short time or are transferring from other areas and have some other type of plan. This allows portability of their pension plan.
 - F. CSEA Campus President: There are rumors that more staff layoffs are pending. Meet-and-Confer negotiations are scheduled for November 14 and 15 on this campus. We hope to mitigate any layoffs at that time.
 - G. ASI Representatives: none

Chair's report on Foundation Activities:

The two faculty representatives to the Foundation are Charles Andrews and Leon Maksoudian. A \$25,000 fund has been established to fund summer research grants for underrepresented and affirmative action individuals. These will be \$5,000 professional development grants which will be processed through the Affirmative Action Office and reviewed by the Equal Opportunity Advisory Committee.

The President has requested the Foundation to work on solving the cost of housing problem for new faculty. Two plans are being reviewed at this time.

\$570,842 was provided to university services by the Foundation during the last academic year. Botwin: How much does the Foundation have in reserves? Andrews: The fund balance for all operations is \$4.6 million (accumulated profits).

- H. Kendrick Walker, Director of Athletics: Dr. Walker was asked to speak to the Academic Senate about the costs of Division IAA athletics vs. Division IAAA athletics at the NCAA level. The following background was provided due to the complicated nature of this topic. The NCAA consists of three levels of membership: Division I, II, and III. Cal Poly's prime membership is Division II. At the Division I level only, there are two further distinctions: division IA and IAA. Division I consists of big-time college athletics; the Notre Dames of the world. It varies in its ambitions and its funding levels. Division IAA consists of institutions like Harvard, Princeton, Yale, and Boise State. These too differ by

level of funding, traditions, and expectations. Currently, there is no Division IAAA in Division I. Division IAAA will be a creation of the NCAA this January if it passes a vote on the floor. It is not currently in existence. The thought of it was created and the legislation was proposed in response to a development last January at the NCAA General Convention which was the elimination of multi-divisional membership for football. What that means is that from 1993, wherever your main membership is in the NCAA, your football program has to be at that level as well. By 1993, the following universities must be in Division I programs: Santa Clara, St. Mary's, CSU Sacramento, UC Santa Barbara, CSU Northridge, UC San Diego, Southern Utah, and others. These institutions don't think they can fund a Division I program. It's very expensive. When they say Division I, they mean Division IA. They can't compete with Notre Dame and USC. Very few institutions can. They don't think they can compete at Division IAA. What they have put together to vote upon in January is a new division in Division I called Division IAAA. It is nonscholarship, limited to three coaches, and designed to meet the need of those universities that have to move to Division I or drop football.

Cal Poly is a Division II member, but faces the prospect of having no one to play in football. If we do nothing, by 1993 we will be one of only two Division II members on the West Coast. In order to find 10 games for our team to play during the year, I will have to pay \$27,000 to fly our Division II athletes to Texas to play against a Division II team, or \$25,000 to bring in a Division II team from Nebraska that no one knows about. In order to fill out a 10-game schedule, we almost have to have a bi-coastal Division II football program. We presently spend an inordinate amount of money just traveling, and it will only get worse if the universities I mentioned earlier form a Division I Conference.

Currently in IAA, an institution can spend up to 67 "full rides" for scholarships. (A full ride is what the financial aid office determines it costs to go to one's home institution. It's roughly \$6,000/year.) This new league would have a cap at 10 tuitions (roughly \$1,200). So the cap would be \$12,000/year that we could spend on the football program via scholarship. We currently spend \$175,000 on the scholarship account. So what universities in California are talking about is a cost-containment football league in California. It is foolish to play someone in Texas when we can bus 90 miles to play someone in Santa Barbara and play a local rival.

The other option is to drop football. "Nobody quite wants to belly up to the bar and do that, that I know of, except faculty. I'm being facetious...but, in general, the people who run the university don't want to make that decision unilaterally, it's a tough decision...it's a very complicated and tortured decision. But, that is an option." It is an option that may have to be faced if a new league does not get formed.

There are different levels of participation within Division I. There are levels that are very, very expensive. They have high revenues and high stakes. But, for Cal Poly, it would virtually be the same football we're playing now. It would be in a new configuration, in a new league, it would hopefully have more local rivals, it would travel less often out-of-state, and it would spend far less on the scholarship side than it currently does. So, the kind of program we are proposing is not a highly ambitious football program and it is driven by the concern of the disintegration of Division II on the West Coast.

Cost items: The main costs (this is what differentiates Divisions I, II, and III):

Division IA = 92 full rides, 10 head coaches, 5 graduate assistants, and an attendance requirement of 17,000 average. Hence, by implication, there are facility requirements.

Division IAA = 67 full rides, no attendance requirements, 7 full-time coaches, and 5 graduate assistants.

Division IAAA (if passed in January) = 3 head coaches, no scholarships, and no attendance requirements.

If Division IAAA is not voted in, what is proposed is a Division IA football program patterned after the "ivy league model." That means no scholarships and a limit of coaches. I do not believe this will win. What I think will come about is a limit of coaches to 4 or 5, a scholarship base of 10 tuition-only scholarships for public institutions and 5 tuition-

only scholarships for private institutions, and 8-10 members in the league.

There are three budgets that currently support the football program: (1) a scholarship budget of about \$175,000. If the new league gets formed, we'll be spending about \$60,000. This will provide a net savings; (2) an operational budget of about \$200,000. It will probably be \$300,000 if a new league is formed; and (3) the State budget. This new league will cost the State less because salaried positions were cut from the State's budget and the students will be asked to pick up those salaries. The costs will be the same, but the students will be paying.

Kersten: I'm still not clear about the NCAA rule concerning alignment within divisions. Why is that? Walker: Until last January, anyone could pick a sport and petition the NCAA to have it elevated to Division I. That's called multi-divisional membership. Few programs had Division II programs with Division I football. What they had were Division I programs with Division II or III football. Due to developments in Division I, these institutions voted to eliminate multi-divisional membership in football only. Gooden: If there's so much dissatisfaction with the NCAA decisions, why not form another organization? Walker: There may be a lot of dissatisfaction with the NCAA, but it's not all about the same thing. It would be suicidal to do so. It's might be better to stay in and try to work for same sane arrangement.

Irvin: Could you explain the difference between Divisions I, II, and III. Walker: There are many ways to describe the differences. The amount of money you are allowed to spend on your program (coaches, attendance, structure requirements), the difference in academic standards, and the level at which you want to compete and financially support it. Brown: You earlier referred to the Division IAAA proposal as a sham, in a way. Is this because it redefines what is already being done in a less expensive way but calls it Division I? Walker: Yes. But Division IA members aren't the only ones who may vote against it. Division IAA may also vote against it because they will lose membership. Brown: What is the difference in academic standards between Divisions I and II? Walker: If we move to Division I, we would have to abide by less rigorous standards.

Brumley: What would happen if Cal Poly dropped football? Walker: If we dropped football, we would stay in Division II and the erosion affecting other programs in Division II will affect us. We'd lose some money. We get scholarship money for football. These contributors would probably not give to other sports. P Murphy: I think there is a lot of misinformation 'out there' regarding a change to Division I. What I hear you say is that going to Division I won't cost more money. Walker: The scholarship budget won't cost more, but the costs are more. We are going to the students to ask for a considerable amount of money. ASI decided on a moratorium for about one month to study this issue. A series of articles will be coming out regarding the findings of their study.

Conway: If the students pass this referendum, they will be spending \$43/quarter for this. At the point where that fee kicks in fully, about \$1.5 to \$2.0 million a year will be generated for athletics. With the down-scaled program you described here, what is that money going to pay for? Walker: As I explained to Paul, this program is not less expensive than the program we're running now. It's more expensive to compete at Division I. The budget material is before the IRA board now. Conway: Will that money pay for more intercollegiate athletics than what we are paying now? Walker: The students eventually assume about 63% of the program. Strickmeier: You do expect steady money from the State; about \$1 million after cuts I believe. Walker: My sense is that it's lower; but, yes, we do expect State funding. Strickmeier: My question is, when round two of budget cuts comes next year, what effect will the 20% cut to Athletics have if the student fees don't meet the amount needed? Will it come out of instructional funds? Walker: I don't know. It would be a tough issue. Burnett: As a member of the IRA board, I want to say that all the questions being asked here are being addressed. I encourage everyone to read the records of the task force. Glinski: I would like it to be made clear that there is a difference between competitive sports and recreational sports. I feel faculty and staff may be confused as to what is being considered.

IV. Consent Agenda:

An item was added by action of the Executive Committee at its October 22, 1991 meeting. An ad hoc committee to establish criteria for program review is being formed. Each school/library will have a representative on this committee. The process and procedures to be used are to be developed. The committee's recommendations will come back to the Academic Senate for approval before implementation. The criteria developed by the Long-Range Planning Committee last year will serve as a resource for this committee.

V. Business Items:

Resolution on Faculty Suspension with Pay: J Murphy offered a substitution resolution and gave an explanation of what the substitution resolution offered. A motion was made (Hanson/Grinnell) to accept the substitute resolution. Senator Gooden noted that since this was a first reading item, there was no reason to substitute one resolution for the other. This should be done when it comes up as a second reading action item. The motion was withdrawn. M Berrio: These resolutions look the same except for the time frames of 20 days vs. 3 days for response. Hanson: As you know, we had an incident here on campus where a person was suspended for a quarter without charges being brought. The substitute resolution REQUIRES the President to inform a person of the reasons for suspension. Harris: I'm bothered by a 20-day period for response as proposed by the original resolution and that it doesn't make the person bringing the charges responsible for stating the charges. Brown: I think the crucial point is the responsibility issue. If the reason for suspension can't be written down within three days, then the person should not be suspended. The resolution and substitute resolution were returned to the Personnel Policies Committee for consideration. The resolution will be placed on the Academic Senate agenda as a second reading item when it is returned.

VI. Discussion:

Sexual Harassment Policy changes: Berrio: The Status of Women Committee was asked to review the Sexual Harassment Policy by administration last year. Sexual Harassment is a very serious issue on this campus. A survey of female students taken in general education English classes found that of 300 students polled, 75% of them reported experiences of gender harassment (i.e., putting down women), and 39% reported experiences of sexual harassment. The students are experiencing a lot of behavior that can be categorized as sexual harassment. Our recommendations to administration are included in the agenda. We tried to address breaches of procedure in processing a sexual harassment complaint. Presently, if a procedure is breached, there is no accountability. Many sexual harassment complainants were quite bitter as a result of going through the process and all reported that felt their information had been distorted. We have asked that the Sexual Harassment Employer's Handbook be used as a guideline for investigation procedures. The response from Personnel stated that the structure for investigating sexual harassment cases was left to the person doing the investigation. We asked that a reporting system of those cases heard be directed to the Status of Women Committee. The response we received did not address this. Harris: I had some similar concerns when I looked at the committee's recommendations and the response to those recommendations. What would you recommend from this body? Berrio: I think the committee should pursue this further and make additional recommendations. Glinski: All the complainants I have spoke to felt their information was very distorted. Nobody felt they had been helped. They felt they were more harassed by the process. Gooden: What would constitute a control group? How can you get procedures that would be objective? Berrio: the Sexual Harassment Manual is an excellent document to use. It's a great starting point. Hanson: I'm concerned that legal processes be followed. Andrews: That's one of the advantages if we start following the process set forth in that manual. It's a good process. It provides instruction on how to do the investigation and how to write the report. You would have consistency in your reports that would have some meaningful data as a database, instead of each investigator deciding what to put in her/his report. Glinski: No findings of sexual harassment have been found although several persons have named the same individual in their complaints. Something is wrong there. Brown: If the argument is that taping inhibits spontaneity, then the complainant should have the choice of whether to use taping. Suess: I'm not aware of all cases, but there have been cases where sexual harassment has been found.

VII. Adjournment: The meeting adjourned at 4:48pm.